

COMMONWEALTH OF MASSACHUSETTS
State Building Code Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-603

Appellant(s): Vernon Woodworth vz. Appellee(s): City/Town of Boston
Luis Santana

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant requested that the Board grant him a variance from 780 CMR 403.2 (withdrawn), 603.0, and 1612.2.5.1, of the Massachusetts State Building Code (MSBC) for 140 to 156 Western Ave, MA a.k.a. the Harvard Allston Science Complex. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on July 22, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

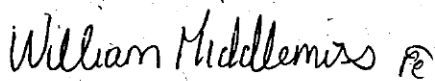
The Appellant appeared for the hearing *pro se*. Other attendees were present as indicated on the sign-in sheet which is on file at the Department of Public Safety.

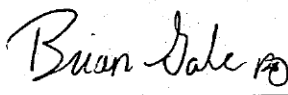
Discussion


A motion was made to grant the Appellant's request for a variance from 780 CMR 603.0, and 1612.2.5.1 of the MSBC. This motion on 603.0 allows the use of Halfen connectors at curtain wall slab penetrations where the fire resistance rating is interrupted. The motion on 1612.2.5.1 allows that seismic bracing is required in the below grade portion or 'District Energy Plant' and not throughout the building. However, this motion is contingent upon the use of a three-hour fire rated horizontal slab between the below grade and above grade portions of the building. The board vote was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR 603.0 and 1612.2.5.1 as described in the Discussion above, is hereby granted and so ordered² on this date: July 22, 2008.


William Middlemiss


Brian Gale


Alexander MacLeod

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.